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GI 5182A

01/24/94

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Rod Hewick, et al.

Serial No.: 07/800,364

Examiner: K. Furman

Filed : November 26, 1991

Art Unit: 1814

For : BONE AND CARTILAGE INDUCTIVE PROTEINS

January 13, 1994

Hon. Commissioner
of Patents and Trademarks
Washington, D.C. 20231
ATTN: Donna Chapman, Supervisor

Certificate of Facsimile Transmission	
I hereby certify that this document is being facsimile transmitted to the Patent and Trademark Office in the unit shown below.	
Diana Gentile	
Type or print name of person signing certificate	Date
Diana Gentile	1/13/94
Signature	Signature

LETTER

This is in response to the telephone conference with Ms. Donna Chapman January 11, 1994. Ms. Chapman instructed Applicants to send or fax a copy of the amendment filed August 4, 1993. Although this amendment was received by the Patent and Trademark Office as evidenced by the enclosed return postcard bearing an August 4, 1993 mailroom stamp, a Notice of Abandonment was received September 17, 1993.

Ms. Chapman indicated during the January 11 telephone conference that extension and other fees relating to this application had in fact been charged to Applicants' Deposit Account No. 07-1060.

The following documents are faxed herewith to (703) 305-3014.

1. Mail room receipt postcard bearing August 4, 1993 stamp
2. Transmittal Letter (1 page)
3. Extension of Time (1 page)
4. Information Disclosure Statement (2 pages)
5. Form PTO-1449 (2 pages)
6. Amendment with Appendix A (20 pages)
7. Deposit Declaration (2 pages)

A copy of these documents as well as ten references listed on PTO-1449 and PCT/US91/03388 are being hand delivered to Ms. Chapman within a few days.

In view of the above, it is respectfully submitted that the Notice of Abandonment be withdrawn and the response of August 4, 1993 be considered by the Examiner.

No fee is believed due. However, if any fee should be due, authorization is hereby given to charge it to our Deposit Account No. 07-1060. Two copies of this sheet are enclosed.

Respectfully submitted,

January 13, 1994
Date

Ellen J. Kapinos
Ellen J. Kapinos
Reg. No. 32,245
Attorney for Applicants

Legal Affairs
GENETICS INSTITUTE, INC.
87 CambridgePark Drive
Cambridge, Massachusetts 02140

PATENT

Serial No. 809,764 Doc. No. 57829-05 Atty/Sec Ex/INN Date Aug 4, 1993

Inventor Edo Henick, Jack Wang, Shabotraay, Tong Celaste

Title Gene and Catechol Inducible Proteins

11 Appendix A

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

pp. Spec. Claim. Abstract 20 pp. Amendment: OA did 2-5-93
 pp. Declaration/Power of Attorney pp. Response: OA did 2-5-93
 pp. Verified Statement (Small Entity) pp. Transmittal Letter in Duplicate
 shs. Informal Drawings 10 Issue Fee
 shs. Formal Drawings 10 Notice of Appeal & Fee
 pp. Assignment 10 Check for \$ 5
 pp. Preliminary Amendment 10 pp. Deposit Declaration
 1 pp. Extension of Time 100% Surcharge PCT US 91/03385
 2 pp. Information Disclosure Statement with PTO-1499 and 10 references
12 pp

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail.

VIA Express Mail
RG 793 966 844VS

Respectfully,
Genetics Institute, Inc.

SERIAL NO.: 07/800,364
FILED: November 26, 1991
GROUP ART UNIT: 1814

SIR:

In re application of: Rod Hewick et al.

Entitled: BONE AND CARTILAGE INDUCTIVE PROTEINS

Transmitted herewith is an Amendment in the above-identified application. The following checked items are applicable:

A Petition for Extension of Time for 3 months is hereby made, under §1.136(e) and fee is calculated herein;

Other: Declaration of Deposit Requirements and enclosures
Information Disclosure Statement with 10 references attached.

Claims after amendment	Minus Prior PAID claims	Equals present extra claims	RATE	FEE
Independent	8	- 13	=	x \$74.00 = \$.00
Total	21	- 25	=	x \$22.00 = \$.00
[] Multiple Dependent Claims (1st presentation)				+\$230.00 \$.00
<input checked="" type="checkbox"/> Information Disclosure fee pursuant to revised §1.97 & §1.98				+\$200.00 \$200.00
			SUBTOTAL FEE	\$.00
<input checked="" type="checkbox"/> Petition for Extension of time fee pursuant to §1.17		extension within 3 months		\$840.00
			TOTAL ADDITIONAL FEE	\$840.00

The fee has been calculated above; The Commissioner is hereby authorized to charge payment of \$1040.00 under §1.16 associated with this communication or credit any overpayment to Deposit Account No. 07-1060.

[] No additional fee is believed due.

CERTIFICATE OF MAILING RB 793966844 US
Date of Deposit: August 4, 1993
I hereby certify that this correspondence is being deposited with the United States Postal Service Via Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on date indicated above and addressed to Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20591.

SUBMITTED IN TRIPPLICATE

Ellen J. Kapinos
Attorney of Record: Ellen J. Kapinos

Registration No. 32,245

Genetics Institute, Inc.
87 Cambridge Park Drive
Cambridge, MA 02140

GI 5182A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Rod Hewick et al.
Serial No. : 07/800,364 Examiner : K. Kurman
Filed : November 26, 1991 Art Unit : 1814
For : BONE AND CARTILAGE INDUCTIVE PROTEINS

RB793966844US
"Express Mail" mailing label number:
Date of Deposit: August 4, 1993

August 2, 1993

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

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under 37 CFR 1.10 on the date indicated above
and is addressed to the Commissioner of Patents
and Trademarks, Washington, D.C. 20231.
Ellen J. Kapinos

PETITION AND FEE FOR EXTENSION OF TIME UNDER 37 CFR 1.136

We hereby request an extension of time for response of three (3) month/s pursuant to 37 CFR 1.136(a) in which to respond to the Office Action mailed February 5, 1993. This extension resets the time for response from May 5, 1993 to August 5, 1993.

We authorize the charging of Eight Hundred and Forty (\$840.00) and any additional fees and crediting of overpayment to our Deposit Account 07-1060, and for this purpose, we enclose a duplicate copy of this petition.

Respectfully submitted,



Ellen J. Kapinos
Reg. No. 32,245
Attorney for Applicants
(617)-876-1170

August 3, 1993
Date

Genetics Institute, Inc.
87 Cambridge Park Drive
Cambridge, MA 02140-2387

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Rod Hewick et al.

Serial No. : 07/800,364

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under 37 C.F.R. 1.10 on the date indicated above
and is addressed to the Commissioner of Patents
and Trademarks, Washington, D.C. 20231.

Ellen J. Baggett

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§ 1.56 and 1.97, 1.98(d) the publications and/or patents listed on the attached form PTO-1449 are cited for consideration by the Examiner in connection with the examination of the above-identified patent application. It is understood that the references need not be provided herewith as they have been previously submitted to the Office in the prior parent application. Those references which are marked by an asterisk have been provided herewith as they were not cited in the parent and comprise the most recent relevant art of which applicant is aware.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

(1) within three (3) months of the Filing Date or before the mailing date of the First Office Action on the merits; or

(2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and the requisite Certification or fee under Rule 1.17(p), namely \$200.00, is included herein; or

(3) after the mailing date of a Final Rejection or Notice of Allowance but before the payment of the Issue Fee, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form PTO-1449 be made of record in this application.

Early examination and allowance of the present application are respectfully solicited.

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 07-1060. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



Legal Affairs
Genetics Institute, Inc.
87 Cambridge Park Drive
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Ellen J. Kapinos
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